



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

Mailed: 12/19/05

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Paper No. _____

In re application of :
Wolfgang Anderheggen et al
Serial No.: 10/055,652 : DECISION ON
Filed: January 23, 2002 : PETITION
For: A PROCESS AND AN APPARATUS FOR THE SEPARATION
OF OIL FROM CHOPPED ELASTANE FIBERS WHICH CONTAIN
PREPARATIONS :

This is a response to the PETITION TO WITHDRAW HOLDING OF ABANDONMENT, filed February 27, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of January 05, 2004, for failure to timely file a proper response to the Office letter dated July 23, 2003 be withdrawn. The petitioner asserts that applicants timely filed a proper response and a Petition for Extension of Time on December 18, 2003.

DECISION

The instant request is accepted as a timely petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition indicates that the request has merit. The evidence presented is sufficient to establish that the applicants did file the proper response to the Office letter of July 23, 2003 in a timely manner. The evidence provided includes: 1) a copy of the Response to the Office letter of July 23, 2003 with a Certificate of Facsimile Transmission dated December 18, 2003 ; 2) a copy of the Petition for Three Months Extension of Time with a Certificate of Facsimile Transmission dated December 18, 2003 ; 3) a copy of the FAX COVER SHEET ; and 4) a copy of the Auto-Reply Facsimile Transmission confirming receipt of the Response and Petition for Extension of Time by the USPTO dated December 19, 2003.



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Therefore, the abandonment is hereby withdrawn, and the application is returned to pending status. The application will be forwarded to the Technical Support Staff for entering of the Response dated December 18, 2003 and then forwarded to the examiner for prompt consideration.

The Petition is **GRANTED**.

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